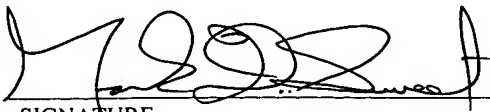


|   |  |   |  |
|---|--|---|--|
| FORM PTO-1390<br>REV. 3/01T   |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE   | ATTORNEY'S DOCKET NUMBER<br><b>05725.1471-00000</b>  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A<br/>FILING UNDER 35 U.S.C. 371</b>                         |  |   | U.S. APPLICATION NO.<br>(If known, see 37CFR1.5)<br><b>10/538,017</b>                          |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/EP03/13698</b>  | INTERNATIONAL FILING DATE<br><b>December 4, 2003</b> | PRIORITY DATE CLAIMED<br><b>December 13, 2002</b>   |  |
| TITLE OF INVENTION: <b>MAKE-UP PROCESSES AND PROCESSES FOR APPLICATION OF A SKIN CARE PRODUCT, AND DEVICES USED IN THE IMPLEMENTATION OF SUCH PROCESSES</b> |  |   |  |
| APPLICANT(S) FOR DO/EO/US: <b>Jean-Louis H. GUERET</b>  |  |   |  |
| Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:                          |  |   |  |
| 1.  | <input type="checkbox"/>                             | This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.   |  |
| 2.  | <input checked="" type="checkbox"/>                  | This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.   |  |
| 3.  | <input type="checkbox"/>                             | This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. |  |
| 4.  | <input type="checkbox"/>                             | The US has been elected by the expiration of 19 months from the priority date (Article 31).   |  |
| 5.  | <input type="checkbox"/>                             | A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).  |  |
|   | a.   | <input type="checkbox"/>  | is attached hereto (required only if not communicated by the International Bureau.             |
|   | b.   | <input type="checkbox"/>  | has been communicated by the International Bureau.   |
|   | c.   | <input type="checkbox"/>  | is not required, as the application was filed with the United States Receiving Office (RO/US). |
| 6.  | <input type="checkbox"/>                             | An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).   |  |
|   | a.   | <input type="checkbox"/>  | is attached hereto.  |
|   | b.   | <input type="checkbox"/>  | has been previously submitted under 35 U.S.C. 154 (d)(4).                                      |
| 7.  | <input type="checkbox"/>                             | Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).  |  |
|   | a.   | <input type="checkbox"/>  | are attached hereto (required only if not communicated by the International Bureau).           |
|   | b.   | <input type="checkbox"/>  | have been communicated by the International Bureau.  |
|   | c.   | <input type="checkbox"/>  | have not been made; however, the time limit for making such amendments has NOT expired.        |
|   | d.   | <input type="checkbox"/>  | have not been made and will not be made.   |
| 8.  | <input type="checkbox"/>                             | An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).  |  |
| 9.  | <input checked="" type="checkbox"/>                  | An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).   |  |
| 10.   | <input type="checkbox"/>                             | An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).                   |  |
| Items 11 to 20 below concern document(s) or information included:   |  |   |  |
| 11.   | <input checked="" type="checkbox"/>                  | Information Disclosure Statement under 37 CFR 1.97 and 1.98   |  |
| 12.   | <input checked="" type="checkbox"/>                  | An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.   |  |
| 13.   | <input type="checkbox"/>                             | A <b>FIRST</b> preliminary amendment.   |  |
| 14.   | <input type="checkbox"/>                             | A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.   |  |
| 15.   | <input type="checkbox"/>                             | A Substitute specification.   |  |
| 16.   | <input type="checkbox"/>                             | A change of power of attorney and/or address letter.  |  |
| 17.   | <input type="checkbox"/>                             | A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.   |  |
| 18.   | <input type="checkbox"/>                             | A second copy of the published international application under 35 U.S.C. 154 (d)(4).  |  |
| 19.   | <input type="checkbox"/>                             | A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).  |  |
| 20.   | <input checked="" type="checkbox"/>                  | Other items or information:   |  |
|   | a.   | <input type="checkbox"/>  | Copy of cover page of International Publication No. WO   |
|   | b.   | <input checked="" type="checkbox"/>   | Copy of Notification of Missing Requirements.  |
|   | c.   | <input type="checkbox"/>  |  |

|   |              |  |            |  |          |  |  |  |  |
|---|--------------|--|------------|--|----------|--|--|--|--|
| U.S. APPLICATION NO. (If known, see 37CFR 1.5)<br><b>10/538,017</b>   |              | INTERNATIONAL APPLICATION NO.<br><b>PCT/EP03/13698</b> |            | ATTORNEY'S DOCKET NUMBER<br><b>05725.1471-00000</b>  |          |  |  |  |  |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:<br><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b><br><br>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1080.00</b><br><br>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b><br><br>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b><br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b><br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33 (1)-(4) ..... <b>\$100.00</b><br><br><div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div> |              |  |            | CALCULATIONS PTO USE ONLY  |          |  |  |  |  |
|   |              |  |            |  |          |  |  |  |  |
|   |              |  |            |  |          |  |  |  |  |
|   |              |  |            |  |          |  |  |  |  |
|   |              |  |            |  |          |  |  |  |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <span style="float: right;"><input type="checkbox"/> 20    <input checked="" type="checkbox"/> 30</span>   |              |  |            | \$ 130.00  |          |  |  |  |  |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA   | RATE       |  |          |  |  |  |  |
| Total Claims  | - 20 =       |  | x \$ 50.00 | \$   |          |  |  |  |  |
| Independent Claims  | - 3 =        |  | x \$200.00 | \$   |          |  |  |  |  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |  |            | +\$360.00  | \$       |  |  |  |  |
| <b>TOTAL OF THE ABOVE CALCULATIONS =</b>  |              |  |            | \$ 130.00  |          |  |  |  |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |              |  |            | \$   |          |  |  |  |  |
| <b>SUBTOTAL =</b>   |              |  |            | \$ 130.00  |          |  |  |  |  |
| Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <span style="float: right;"><input type="checkbox"/> 20    <input type="checkbox"/> 30</span>  |              |  |            | \$   |          |  |  |  |  |
| <b>TOTAL NATIONAL FEE =</b>   |              |  |            | \$ 130.00  |          |  |  |  |  |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.  |              |  |            | +  | \$ 40.00 |  |  |  |  |
| <b>TOTAL FEES ENCLOSED =</b>  |              |  |            | \$ 170.00  |          |  |  |  |  |
|   |              |  |            | Amount to be refunded:   | \$       |  |  |  |  |
|   |              |  |            | charged:   | \$       |  |  |  |  |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>130.00</u> to cover the surcharge fee for late filing of the Declaration and a check in the amount of \$ <u>40.00</u> to cover the Assignment recordation fee are enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u> . A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.  |              |  |            |  |          |  |  |  |  |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.  |              |  |            |  |          |  |  |  |  |
| <b>SEND ALL CORRESPONDENCE TO:</b><br>Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.<br>901 New York Avenue, N.W.<br>Washington, D.C. 20001   |              |  |            |  |          |  |  |  |  |
| DATED: June 16, 2006  |              |  |            | <br>SIGNATURE<br>Mark D. Sweet / 41,469<br>NAME/REGISTRATION NO. |          |  |  |  |  |

06/21/2006 ATRAN1 00000105 10538017  
01 FC:167 130.00 OP



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/538,017                  | Jean-Louis J Gueret   | 05725.1471       |

|                               |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/EP03/13698

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|

12/04/2003

12/13/2002

22852

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP901 NEW YORK AVENUE, NW  
WASHINGTON, DC 20001-4413**RECEIVED**

APR 20 2006

Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.

Date Mailed: 04/17/2006

CONFIRMATION NO. 8808

371 FORMALITIES LETTER



\*OC000000018543774\*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/07/2005
- Copy of the International Search Report filed on 06/07/2005
- Preliminary Amendments filed on 06/07/2005
- U.S. Basic National Fees filed on 06/07/2005
- Priority Documents filed on 06/07/2005
- Specification filed on 06/07/2005
- Claims filed on 06/07/2005
- Drawings filed on 06/07/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$-230 for a Large Entity:

Docketed 4/20/06 Attorney TH/PA  
Case 5725.1471  
Due Date 6/17/06 w/EXT  
Action DECL Schs due  
By (Signature)  
11-20-06

• \$130 Surcharge.

(A previous payment of \$360 will be applied to the additional fees indicated above.)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/538,017                  | PCT/EP03/13698                | 05725.1471       |

FORM PCT/DO/EO/905 (371 Formalities Notice)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                       |   |                            |
|---------------------------------------|---|----------------------------|
| In re National Stage of International | ) |                            |
| Application No. PCT/EP03/13698 of:    | ) |                            |
|                                       | ) |                            |
| <b>Jean-Louis H. GUERET</b>           | ) | Group Art Unit: Unassigned |
|                                       | ) |                            |
| Application No.: 10/538,017           | ) | Examiner: Unassigned       |
|                                       | ) |                            |
| Filed: December 4, 2003               | ) | Confirmation No.: 8808     |
|                                       | ) |                            |
| For: MAKE-UP PROCESSES AND            | ) |                            |
| PROCESSES FOR APPLICATION             | ) |                            |
| OF A SKIN CARE PRODUCT, AND           | ) |                            |
| DEVICES USED IN THE                   | ) |                            |
| IMPLEMENTATION OF SUCH                | ) |                            |
| PROCESSES                             | ) |                            |

**SUBMISSION OF ASSIGNMENT OF APPLICATION**

**Mail Stop Assignment Recordation Services**  
Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby submits a copy of the executed Assignment in the above-identified application from **Jean-Louis H. GUERET**, assigning his rights in the invention to **L'ORÉAL**.


Please record the Assignment and notify the undersigned of the recordation data.

The required \$40.00 recordation fee is enclosed.

Please charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Mark D. Sweet  
Reg. No. 41,469

Dated: June 16, 2006